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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

THE PEOPLE,

Plaintiff and Respondent,

v.

ANGEL RAY ALCALA,

Defendant and Appellant.

B290048

(Los Angeles County  
Super. Ct. No. YA096269)

APPEAL from judgments of the Superior Court of Los Angeles County. James R. Brandlin, Judge (Ret.). Affirmed.

Gordon B. Scott, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

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The jury found defendant and appellant Angel Ray Alcala guilty of residential robbery (Pen. Code, § 211 [count 1])<sup>1</sup> and first degree burglary (§ 459 [count 2]). It also found true the allegations that there was a person present during the commission of the offenses (§ 667.5, subd. (c)), and the victim was 65 years old or older (§ 667.9, subd. (a)) in counts 1 and 2. The jury was unable to reach a verdict with respect to a second count of burglary (§ 211 [count 3]) and the allegations that Alcala had personally inflicted great bodily injury on the victim in counts 1 and 2 (§ 12022.7, subd. (c)). Alcala subsequently pleaded guilty in count 3, and the great bodily injury enhancements in counts 1 and 2 were dismissed.

The trial court sentenced Alcala to a term of four years in count 1, plus one year for the section 667.9, subdivision (a) enhancement. The court imposed and stayed a five-year sentence in count 2, pursuant to section 654. Alcala received a concurrent sentence of four years in count 3.

Alcala filed a notice of appeal following jury trial. We appointed counsel on appeal. On October 30, 2018, counsel filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436, raising no issues but asking this court to independently review the record for error.

We advised Alcala on October 30, 2018, of his right to file a brief or letter containing any issues he wishes this court to consider. No response has been received to date.

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<sup>1</sup> All further statutory references are to the Penal Code unless otherwise indicated.

We have examined the entire record and find no arguable issues on appeal. (*Smith v. Robbins* (2000) 528 U.S. 259, 278–284; *People v. Wende, supra*, 25 Cal.3d at p. 441.)

The judgment is affirmed.

MOOR, J.

We concur:

RUBIN, P.J.

BAKER, J.